

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SHIKEB SADDZOAI,
Plaintiff,

v.

SAN FRANCISCO GENERAL
HOSPITAL MEDICAL CENTER, et al.,
Defendants.

Case No. 18-04492 BLF (PR)

**ORDER DENYING THIRD
MOTION FOR APPOINTMENT OF
COUNSEL**

(Docket No. 26)

Plaintiff, a state prisoner proceeding *pro se* filed a civil rights complaint pursuant to 42 U.S.C. § 1983. On December 10, 2018, the Court dismissed the complaint with leave to amend. (Docket No. 15.) In the same order, the Court denied Plaintiff's motion for appointment of counsel. (*Id.*; Docket No. 10.) On July 11, 2019, the Court dismissed the amended complaint with leave to amend, and in the same order denied Plaintiff's second motion for appointment of counsel. (Docket Nos. 17, 21.) Plaintiff has filed a third motion for appointment of counsel for essentially the same reasons stated in his previous motions, i.e., he is unable to afford counsel, the issues are complex, lack of legal knowledge of the law, limited access to the law library, and counsel's assistance would be invaluable should the matter go to trial. (Docket No. 26.)

1 The Court dismissed Plaintiff's first amended complaint with leave to amend to
2 correct pleading deficiencies with respect to his Fourteenth Amendment claims. (Docket
3 No. 21.) Plaintiff has filed a second amended complaint which is pending initial review.
4 (Docket No. 25.) As such, it is yet uncertain whether this action will actually proceed to
5 trial, and the other reasons set forth do not distinguish Plaintiff from other *pro se* prisoner
6 litigants. Accordingly, the motion for appointment of counsel is **DENIED** for lack of
7 extraordinary circumstances. *See Agyeman v. Corrections Corp. of America*, 390 F.3d
8 1101, 1103 (9th Cir. 2004); *Rand*, 113 F.3d at 1525 (9th Cir. 1997); *Terrell v. Brewer*, 935
9 F.2d 1015, 1017 (9th Cir. 1991); *Wilborn v. Escalderon*, 789 F.2d 1328, 1331 (9th Cir.
10 1986). This denial is without prejudice to the Court's *sua sponte* appointment of counsel
11 at a future date should the circumstances of this case warrant such appointment.

12 This order terminates Docket No. 26.

13 **IT IS SO ORDERED.**

14 Dated: October 17, 2019



BETH LABSON FREEMAN
United States District Judge